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2011 Nov-15 PM 02:19
U.S. DISTRICT COURT
N.D. OF ALABAMA

ALABAMA SJIS CASE DETAIL

DODSON **PREPARED FOR: Courtney Williams**

alacourt.com

County: **01** Case Number: **CV-2011-903628.00** Court Action:

Style: **ANTHONY L NELSON V. LVNV FUNDING LLC ET AL**

REAL TIME

Case Action Summary - CV201190362800

Date:	Time	Code	Comments	Operator
10/12/2011	3:44:22	EFILE	COMPLAINT E-FILED.	PHI053
10/12/2011	3:45:18	FILE	FILED THIS DATE: 10/12/2011 (AV01)	AJA
10/12/2011	3:45:19	EORD	E-ORDER FLAG SET TO "N" (AV01)	AJA
10/12/2011	3:45:20	SCAN	CASE SCANNED STATUS SET TO: N (AV01)	AJA
10/12/2011	3:45:21	ASSJ	ASSIGNED TO JUDGE: ROBERT S. VANCE (AV01)	AJA
10/12/2011	3:45:22	TDMJ	JURY TRIAL REQUESTED (AV01)	AJA
10/12/2011	3:45:23	STAT	CASE ASSIGNED STATUS OF: ACTIVE (AV01)	AJA
10/12/2011	3:45:24	ORIG	ORIGIN: INITIAL FILING (AV01)	AJA
10/12/2011	3:45:25	C001	C001 PARTY ADDED: NELSON ANTHONY L (AV02)	AJA
10/12/2011	3:45:26	ATTY	LISTED AS ATTORNEY FOR C001: PHILLIPS WESLEY LEVO	AJA
10/12/2011	3:45:27	EORD	C001 E-ORDER FLAG SET TO "N" (AV02)	AJA
10/12/2011	3:45:31	D001	D001 PARTY ADDED: LVNV FUNDING LLC (AV02)	AJA
10/12/2011	3:45:32	ATTY	LISTED AS ATTORNEY FOR D001: PRO SE (AV02)	AJA
10/12/2011	3:45:33	SUMM	CERTIFIED MAI ISSUED: 10/12/2011 TO D001 (AV02)	AJA
10/12/2011	3:45:34	EORD	D001 E-ORDER FLAG SET TO "N" (AV02)	AJA
10/12/2011	3:45:37	D002	D002 PARTY ADDED: EQUIFAX INFORMATION SERVICES, LL	AJA
10/12/2011	3:45:38	ATTY	LISTED AS ATTORNEY FOR D002: PRO SE (AV02)	AJA
10/12/2011	3:45:39	SUMM	CERTIFIED MAI ISSUED: 10/12/2011 TO D002 (AV02)	AJA
10/12/2011	3:45:40	EORD	D002 E-ORDER FLAG SET TO "N" (AV02)	AJA
10/12/2011	3:45:43	D003	D003 PARTY ADDED: EXPERIAN INFORMATION SOLUTIONS,	AJA
10/12/2011	3:45:44	ATTY	LISTED AS ATTORNEY FOR D003: PRO SE (AV02)	AJA
10/12/2011	3:45:45	SUMM	CERTIFIED MAI ISSUED: 10/12/2011 TO D003 (AV02)	AJA
10/12/2011	3:45:46	EORD	D003 E-ORDER FLAG SET TO "N" (AV02)	AJA
10/12/2011	3:48:49	EFILE	COMPLAINT - SUMMONS	
10/18/2011	8:05:37	SERC	SERVICE OF CERTIFIED MAI ON 10/14/2011 FOR D002	LOH
10/19/2011	8:36:41	SERC	SERVICE OF CERTIFIED MAI ON 10/14/2011 FOR D003	LOH
10/19/2011	8:37:05	SERC	SERVICE OF CERTIFIED MAI ON 10/14/2011 FOR D001	LOH

END OF THE REPORT

DEFENDANT'S EXHIBIT C

ELECTRONICALLY FILED
10/12/2011 3:44 PM
CV-2011-903628.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ANTHONY L. NELSON,	)	
	)	
Plaintiff,	)	
	)	
	)	
vs.	)	**Case No.:** ____________________
	)	
LVNV FUNDING LLC, a corporation; and EQUIFAX INFORMATION SERVICES, LLC, a corporation; and EXPERIAN INFORMATION SOLUTIONS, INC;	)	
	)	
Defendants.	)	

COMPLAINT

COMES NOW Plaintiff, by and through counsel, in the above styled cause, and for Plaintiff's Complaint against the Defendants states as follows:

PARTIES

1. Plaintiff Anthony L. Nelson is a resident of Jefferson County, over 19 years of age, and is competent to bring this action.

2. Defendant LVNV Funding LLC (hereinafter "LVNV") is a Delaware corporation with its principal place of business located in Las Vegas, Nevada and was doing business in Jefferson County, Alabama at all times material to this Complaint. LVNV acted as a debt collector and debt buyer throughout the United States including Jefferson County, Alabama at all times material to this Complaint.

3. Defendant Equifax Information Services, LLC (hereinafter "Equifax") is registered in Georgia with its principal place of business located in Atlanta, Georgia and was doing business in Jefferson County, Alabama at all times material to this Complaint.

4. Defendant Experian Information Solutions, Inc. (hereinafter "Experian") is an Ohio corporation with its principal place of business located in Orange, California and was doing business in Jefferson County, Alabama at all times material to this Complaint.

FACTUAL ALLEGATIONS

5. In March, 2011, Defendant LVNV sued Plaintiff in the District Court of Jefferson County, Alabama, with a case number of SM-2011-901219.

6. In this suit, Defendant LVNV asserted it was the owner of a certain debt it claimed was allegedly owed by Plaintiff and asserted the amount owed was $1648.51.

7. Plaintiff answered and the trial of lawsuit numbered SM-2011-901219 occurred on June 13, 2011.

8. On June 13, 2011, the Honorable Robert P. Bynon, Jr., District Judge for Jefferson County, entered an Order finding for Plaintiff and against Defendant LVNV in case number SM-2011-901219.

9. The verdict entered in favor of Plaintiff Anthony Nelson and against Defendant LVNV by the District Court was a final adjudication on the merits.

10. Defendant LVNV did not appeal within the time allowed, thus, making the judgment a final judgment from which an appeal no longer lies.

11. Defendant LVNV is not the owner of this alleged debt.

12. Defendant LVNV reported to the credit reporting agencies that Plaintiff owed this money and was in default.

13. Plaintiff did not owe this money to Defendant LVNV.

14. The debt being collected is a "consumer debt" as defined by the FDCPA.

15. Plaintiff is a "consumer" as defined by the FDCPA and FCRA.

16. Defendant LVNV is a "debt collector" as defined by the FDCPA.

17. After the dismissal with prejudice by the District Court, Plaintiff sent letters to Defendants Equifax and Experian requesting an investigation of the account that still appeared on Plaintiff's credit reports with regard to LVNV and this account number.

18. Plaintiff requested the accounts be deleted, as Plaintiff did not owe said account.

19. Plaintiff requested Defendants Equifax and Experian to contact the Defendant LVNV's attorney or the District Court to verify that Plaintiff had indeed won the lawsuit in order to determine that this account should be immediately deleted from her credit reports.

20. No Defendant was concerned or cared about what the District Court did in the case as no Defendant had any intention of performing a reasonable investigation. In fact, no Defendant performed any type of reasonable investigation and/or re-investigation.

21. Defendants Equifax and/or Experian notified Defendant LVNV in accordance with the FCRA of the dispute by the Plaintiff.

22. Alternatively, Defendants Equifax and/or Experian did not properly notify Defendant LVNV and, as a part of this failure, did not include all relevant information provided by Plaintiff in their notification of Defendant LVNV. This includes notification that Plaintiff won the lawsuit in the District Court.

23. All Defendants failed to properly investigate and/or re-investigate these disputes, and if Defendants had properly investigated, the accounts would have been deleted.

24. On July 8, 2011, Defendant Equifax issued its results of the investigation and/or re-investigation, Confirmation report number 11730177492 verifying the account.

25. On July 7, 2011, Defendant Experian issued its results of the investigation and/or re-investigation, confirmation report number 4193-0831-66 verifying the account

26. The reports of Defendants Equifax and Experian issued to Plaintiff and the failure to properly and/or reasonably investigate and/or re-investigate by Defendants Equifax, Experian, and/or LVNV following the entering of judgment against Defendant LVNV in the District Court case it brought against Plaintiff shows that all Defendants failed and willfully refused to conduct an adequate and reasonable investigation and/or re-investigation into Plaintiff's dispute.

27. All Defendants were provided with more than sufficient information in the dispute and in their own internal sources of information (which includes the knowledge of Defendant LVNV through its District Court trial counsel that Plaintiff won the case at trial) to conduct an investigation and to conclude that the account complained of was being reported incorrectly.

28. Defendants Equifax and/or Experian has proclaimed in the past they were obligated to rely upon whatever the public records state about a consumer.

29. For example, had Plaintiff not answered the District Court suit and a default judgment was entered, and Plaintiff disputed with the Consumer Reporting Agencies, Equifax and Experian would have taken the position that they were bound by the state court judgment which says Plaintiff owes the money.

30. Defendants Equifax and/or Experian, however, refused to rely upon what the District Court judge actually rendered in this case, particularly, that Plaintiff prevailed at trial on the merits.

31. The verdict for Plaintiff means the Plaintiff does not owe the money claimed by Defendant LVNV; and the District Court's ruling was a final judgment.

32. The dismissal with prejudice was not appealed to the Jefferson County District Court, and there is no avenue for appeal for Defendant LVNV of this judgment as the time to appeal has long since passed.

33. Despite this knowledge, Defendants Equifax and/or Experian have completely

abdicated its obligations under federal and state law and have instead chosen to merely "parrot" whatever the customer, Defendant LVNV, has told it to say.

34. Defendants Equifax and/or Experian have a policy to favor the paying customer, in this situation Defendant LVNV, rather than what the consumer or even a court says about a debt.

35. The primary reason for this wrongful policy is that furnishers in general, and debt collectors specifically, provide enormous financial rewards to these Defendants.

36. The importance of keeping balances on credit reports is that all the Defendants understand that one of the most powerful methods furnishers (and debt collectors) have to wrench payment from a consumer is by placing accounts with balances on the consumer's credit reports.

37. Defendant LVNV has a policy and procedure to refuse to update credit reports of consumers, like Plaintiff, who do not owe the alleged debt. This practice and procedure keeps false information on the credit report. The false information consists of a balance shown as owed when Defendant LVNV knows no balance is owed.

38. Defendant LVNV promises through its subscriber agreements or contracts to accurately update accounts but Defendant LVNV has willfully, maliciously, recklessly, wantonly, and/or negligently failed to follow this requirement as well as the requirements set forth under the FCRA, FDCPA, and state law, which has resulted in the intended consequences of this information remaining on Plaintiff's credit reports.

39. Defendant LVNV had a duty, and has a duty it assumed through the subscriber agreement and other actions, to accurately report the balances, and this duty was breached in a negligent, wanton, reckless, willful, intentional, and/or malicious manner.

40. Defendant LVNV has a policy and/or practice to "park" its accounts on at least one of the consumer's credit reports. In the credit reporting industry, the term "park" means to

keep a false balance (or false account) on the credit report so that the consumer will be forced to pay off the balance in order to obtain a refinancing or to qualify for a loan or to increase the consumer's credit score from the artificially lowered score which directly resulted from the Defendants' intentional and malicious conduct.

41. In parking or allowing the parking of an account, all Defendants know they are violating their obligations and duties under federal and state law to accurately report the account and the balance.

42. All Defendants know that parking a balance will lead to false and defamatory information being published every time the Plaintiff's credit report is accessed and this is the malicious and intentional design behind Defendants' actions with the goal to force the Plaintiff to pay on an account she does not owe.

43. All Defendants maliciously, willfully, intentionally, recklessly, and/or negligently failed to review the information provided in the disputes and that was already in their files and to conduct a reasonable investigation and/or re-investigation into Plaintiff's disputes.

44. At all relevant times Defendants Equifax and/or Experian failed to maintain and failed to follow reasonable procedures to assure maximum possible accuracy of Plaintiff's credit report and/or to conduct a reasonable and proper investigation and/or re-investigation and/or provide proper consumer disclosures, concerning the accounts in question, violating 15 U.S.C. §§ 1681e(b), 1681i and state law.

45. Defendant LVNV failed to properly maintain and failed to follow reasonable procedures to assure maximum possible accuracy of Plaintiff's credit information and Plaintiff's credit report and/or to conduct a reasonable and proper investigation and/or re-investigation, concerning the account in question, thus violating state law and FDCPA as set forth in this

Complaint. These violations occurred before, during, and after the dispute process began with the consumer reporting agencies.

46. Defendant LVNV has taken aggressive actions in a continued effort to collect the alleged debt against Plaintiff. These actions include the continued reporting of the debt to third parties, including consumer-reporting agencies such as Equifax and Experian, that Plaintiff owed the debt, that Plaintiff defaulted, and that the account was in collections.

47. Defendants Equifax and/or Experian have failed to maintain Plaintiff's accounts with maximum accuracy and all Defendants have failed to properly investigate and/or re-investigate the accounts in response to the disputes made by Plaintiff.

48. The conduct of the Defendants has proximately caused Plaintiff past and future monetary loss, past and future damage to Plaintiff's credit and credit worthiness, past and future mental distress and emotional anguish, and other damages that will be presented to the trier of fact.

49. It is a practice of Defendant LVNV to maliciously, willfully, recklessly, wantonly and/or negligently ignore and refuse to follow the requirements of the FDCPA, FCRA, and state law.

50. It is a practice of Defendants Equifax and/or Experian to maliciously willfully, recklessly, wantonly and/or negligently ignore and refuse to follow the requirements of the FCRA, and state law.

51. All actions taken by employees, agents, servants, or representatives of any type for any and/or all Defendants were taken in the line and scope of such individuals (or entities') employment, agency or representation.

52. All actions taken by any and/or all Defendants were done with malice, were done willfully, and were done with either the desire to harm Plaintiff and/or with the knowledge that their actions would very likely harm Plaintiff and/or that their actions were taken in violation

of the FCRA and/or FDCPA and/or state law and/or that they knew or should have known that their actions were in reckless disregard of the FCRA and/or FDCPA and/or state law.

53. Defendants LVNV, Equifax, and/or Experian have engaged in a pattern and practice of wrongful and unlawful behavior with respect to Plaintiff's accounts and consumer reports and as such all Defendants are subject to punitive damages and statutory damages and all other appropriate measures to punish and deter similar future conduct by these Defendants and similar companies.

COUNT I

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT 15 U.S.C. § 1692 et seq.

54. All paragraphs of this Complaint are expressly adopted and incorporated by reference as if fully set forth herein.

55. Defendant LVNV violated the FDCPA in numerous ways, including, but not limited to the following:

a. Falsely reporting the debt on Plaintiff's credit reports when Plaintiff does not owe the money;

b. Suing the Plaintiff when there was no basis to do so;

c. Continuing to assert the suit in state court when Defendant LVNV knew, or should have known, there was no basis for doing so; and

d. Engaging in collection activities on a debt that Plaintiff does not owe and that Defendant LVNV is not entitled to collect upon.

56. The violations of the FDCPA by the Defendant LVNV are the proximate cause of Plaintiff's injuries under the FDCPA due to Defendant LVNV's conduct which violated the FDCPA

and caused Plaintiff's actual damages, statutory damages, costs, expenses, attorneys' fees, and including, but not limited to, Plaintiff's credit was and is damaged; Plaintiff suffered contempt, ridicule and/or financial injury; Plaintiff has suffered a loss of credit, insurance, and/or other business dealings of varying types; and Plaintiff suffered actual damages for worry, shame, humiliation, loss of sleep, anxiety, nervousness, physical sickness, physical and mental suffering, pain, and anguish.

WHEREFORE, Plaintiff demands judgment against Defendant LVNV for statutory, actual, compensatory and/or punitive damages, and attorneys' fees, together with interest from the date of injury and the costs and expenses of this proceeding.

COUNT II

VIOLATIONS OF THE FAIR CREDIT REPORTING ACT
15 U.S.C. § 1681 et seq.

57. All paragraphs of this Complaint are expressly adopted and incorporated by reference as if fully set forth herein.

58. Defendants Equifax and Experian are a "consumer reporting agency," as codified at 15 U.S.C. §1681a(f).

59. Defendant LVNV is an entity who, regularly and in the course of business, furnishes information to one or more consumer reporting agencies about its transactions or experiences with any consumer and therefore constitutes a "furnisher," as codified at 15 U.S.C. § 1681s-2.

60. Plaintiff notified Defendants Equifax and Experian directly of a dispute on the Defendant LVNV's account's completeness and/or accuracy, as reported.

61. The credit reporting agencies, Defendants Equifax and/or Experian, failed to delete

inaccurate information, reinserted the information without following the FCRA, and/or failed to properly investigate and/or re-investigate Plaintiff's disputes.

62. Plaintiff alleges that at all relevant times Defendants Equifax and/or Experian failed to maintain and failed to follow reasonable procedures to assure maximum possible accuracy of her credit report with regard to the accounts in question in violation of 15 U.S.C. § 1681e(b).

63. Plaintiff alleges that Defendants LVNV, Equifax and/or Experian failed to conduct a proper, reasonable and lawful investigation and/or reinvestigation as well as provide a proper consumer disclosure in violation of 15 U.S.C. § 1681i. All Defendants were given notice the suit was dismissed with prejudice but apparently failed to review the court file, contact the District Court, and/or contact counsel for Defendant LVNV and/or other proper and reasonable measures.

64. All actions taken by Defendants LVNV, Equifax and/or Experian were done willfully, with malice, and were done with either the desire to harm Plaintiff and/or with the knowledge that their actions would very likely harm Plaintiff and/or that their actions were in violation of the FCRA and state law and/or that knew or should have known that their actions were in reckless disregard of the FCRA and/or state law.

65. Defendants Equifax, Experian, and/or LVNVs' violations of the FCRA proximately caused the injuries and damages set forth in this Complaint, including, but not limited to, Plaintiff's credit was and is damaged; Plaintiff suffered contempt, ridicule and/or financial injury; Plaintiff has suffered a loss of credit, insurance, and/or other business dealings of varying types; and Plaintiff suffered actual damages for worry, shame, humiliation, loss of sleep, anxiety, nervousness, physical sickness, physical and mental suffering, pain, and anguish.

WHEREFORE, Plaintiff demands judgment against Defendants Equifax, Experian and/or LVNV, jointly and severally, for statutory, actual, compensatory and/or punitive damages and attorneys' fees, together with interest from the date of injury and the costs and expenses of this proceeding.

COUNT III

DEFAMATION

66. All paragraphs of this Complaint are expressly adopted and incorporated by reference as if fully set forth herein.

67. Defendant LVNV published false information about Plaintiff by reporting to one or more of the Consumer Reporting Agencies (CRAs) the account merely showing it as being "disputed". Each time the credit reports of Plaintiff were accessed, a new publication occurred, which was the result intended by the Defendant.

68. Plaintiff alleges that the publications and defamations were done maliciously, without privilege, and with a willful intent to injure Plaintiff.

69. Plaintiff has been damaged as a proximate result of Defendant LVNV's wrongful conduct as set forth in this Complaint, including, but not limited to, Plaintiff's credit was and is damaged; Plaintiff suffered contempt, ridicule and/or financial injury; Plaintiff has suffered a loss of credit, insurance, and/or other business dealings of varying types; and Plaintiff suffered actual damages for worry, shame, humiliation, loss of sleep, anxiety, nervousness, physical sickness, physical and mental suffering, pain, and anguish.

WHEREFORE, Plaintiff demands judgment against Defendant LVNV for compensatory and punitive damages, together with interest from the date of injury and the costs and expenses of this proceeding.

COUNT IV

INVASION OF PRIVACY

70. All paragraphs of this Complaint are expressly adopted and incorporated by reference as if fully set forth herein.

71. Defendant LVNV recklessly, intentionally, and/or willfully invaded the privacy of Plaintiff as set forth in Alabama law, including publishing false information about Plaintiff's personal financial obligations and refusing to properly update the credit reports as described in this Complaint.

72. Plaintiff has been damaged as a proximate result of Defendant LVNV's wrongful conduct as set forth in this Complaint, including, but not limited to, Plaintiff's credit was and is damaged; Plaintiff suffered contempt, ridicule and/or financial injury; Plaintiff has suffered a loss of credit, insurance, and/or other business dealings of varying types; and Plaintiff suffered actual damages for worry, shame, humiliation, loss of sleep, anxiety, nervousness, physical sickness, physical and mental suffering, pain, and anguish.

WHEREFORE, Plaintiff demands judgment against Defendant LVNV for compensatory and punitive damages, together with interest from the date of injury and the costs and expenses of this proceeding.

COUNT V

NEGLIGENT, RECKLESS, WANTON, MALICIOUS AND/OR INTENTIONAL CONDUCT

73. All paragraphs of this Complaint are expressly adopted and incorporated by reference as if fully set forth herein.

74. Defendant LVNV has a duty under Alabama law, and also assumed a

duty through the subscriber agreement with the CRAs, to accurately report the account of Plaintiff.

75. Defendant LVNV has agreed to follow and understands it must follow the requirements of the FCRA.

76. Defendant LVNV has a duty under Alabama law to act reasonably under the circumstances.

77. Defendant LVNV has violated this duty under Alabama law by failing to accurately report Plaintiff's account to the credit reporting agencies.

78. Defendant LVNV violated its duties to Plaintiff and such violations were made intentionally, recklessly, wantonly, maliciously, and/or negligently as Defendant refused to comply with all the duties Defendant had.

79. Defendants Experian and Equifax each violated its duties to Plaintiff and such violations were made intentionally, recklessly, wantonly, maliciously, and/or negligently as this Defendant refused to comply with all the duties it had or owed to Plaintiff.

80. Plaintiff has been damaged as a proximate result of all Defendants' wrongful conduct as set forth in this Complaint, including, but not limited to, Plaintiff's credit was and is damaged; Plaintiff suffered contempt, ridicule and/or financial injury; Plaintiff has suffered a loss of credit, insurance, and/or other business dealings of varying types; and Plaintiff suffered actual damages for worry, shame, humiliation, loss of sleep, anxiety, nervousness, physical sickness, physical and mental suffering, pain, and anguish.

WHEREFORE, Plaintiff demands judgment against Defendants Experian, Equifax and/or LVNV, jointly and severally, for statutory, actual, compensatory and/or punitive damages, together with interest from the date of injury and the costs and expenses of this proceeding.

COUNT VI

NEGLIGENCE IN HIRING, SUPERVISING, AND/OR TRAINING

81. All paragraphs of this Complaint are expressly adopted and incorporated herein as if set forth herein in their entirety.

82. Defendants Equifax, Experian and/or LVNV were negligent or wanton in the hiring, training, and/or supervision of their employees and/or agents.

83. The employees and/or agents of these Defendants, while acting in furtherance of each one's employment or agency and in the line and scope of each one's respective employment or agency, were incompetent to perform his/her duties and all Defendants did know, or should have known, of such incompetence.

84. The negligent or wanton conduct of those employees and/or agents of these Defendants, while acting in furtherance of each one's employment or agency and in the line and scope of each one's respective employment or agency lead to the Plaintiff's account at issue in this matter being reported inaccurately on his credit reports.

85. Plaintiff has been damaged as a proximate result of all Defendants' wrongful conduct as set forth in this Complaint, including, but not limited to, Plaintiff's credit was and is damaged; Plaintiff suffered contempt, ridicule and/or financial injury; Plaintiff has suffered a loss of credit, insurance, and/or other business dealings of varying types; and Plaintiff suffered actual damages for worry, shame, humiliation, loss of sleep, anxiety, nervousness, physical sickness, physical and mental suffering, pain, and anguish.

WHEREFORE, Plaintiff demands judgment against Defendants Experian, Equifax, and/or LVNV, jointly and severally, for statutory, actual, compensatory and/or punitive damages, together with interest from the date of injury and the costs and expenses of this proceeding.

s/Wesley L. Phillips
Wesley L. Phillips (PHI053)
Attorney for Plaintiff

OF COUNSEL:
PHILLIPS LAW GROUP, LLC
Post Office Box 130488
Birmingham, Alabama 35213-0488
Telephone: (205) 383-3585
Facsimile: (800) 536-0385
Email: wlp@wphillipslaw.com

PLAINTIFF DEMANDS A TRIAL BY JURY IN THIS MATTER .

s/Wesley L. Phillips
OF COUNSEL

Plaintiff's Address:
644 Camp Circle
Birmingham, Alabama 35215

PLEASE SERVE SUMMONS AND COMPLAINT BY CERTIFIED MAIL AS FOLLOWS:

LVNV Funding LLC
c/o CT Corporation System
2 North Jackson Street, Suite 605
Montgomery, Alabama 36104

Equifax Information Services, LLC
c/o CSC Lawyers Incorporating Service, Inc.
150 S. Perry Street
Montgomery, Alabama 36104

Experian Information Solutions, Inc.
c/o CT Corporation System
2 North Jackson Street, Suite 605
Montgomery, Alabama 36104

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CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ANTHONY L. NELSON, **Plaintiff,** **vs.** **LVNV FUNDING LLC, a corporation; and EQUIFAX INFORMATION SERVICES, LLC, a corporation; and EXPERIAN INFORMATION SOLUTIONS, INC;** **Defendants.**	)	**Case No.:** ____________________

PLAINTIFF'S FIRST INTERROGATORIES, REQUEST FOR ADMISSIONS, AND REQUEST FOR PRODUCTION TO DEFENDANT LVNV FUNDING LLC

COMES NOW Plaintiff Anthony L. Nelson, by and through his undersigned counsel, and hereby requests that Defendant LVNV Funding LLC (hereinafter, collectively, "you," "your," and/or "this Defendant"), answer the following interrogatories and requests for production of documents within the time required by the Alabama Rules of Civil Procedure. In addition, Plaintiff requests that Defendant attach a copy of each and every document referred to in any of the interrogatories or in Defendant's responses thereto or that this Defendant state the date and time the said documents will be produced for inspection and copying at the offices of Plaintiff's attorney.

NOTE: These interrogatories shall be deemed continuing so as to require supplemental answers upon receipt of additional information subsequent to its original response.

I. INTERROGATORIES:

1. State whether this Defendant's name correctly is stated in the complaint filed in

this case. If not, state the correct way this defendant should be designated as a party defendant in the named action at the time of occurrence made the basis of this lawsuit and at the time of response to these interrogatories.

RESPONSE:

2. State the corporate history of this Defendant, including the date and place of incorporation; whether it is qualified to do business in the State of Alabama, and, if so, the date first qualified; the address of its principal place of business; and the full names of any and all subsidiaries, divisions, sister corporations, parent corporations, successors, assigns and other like entities.

a. State the address of all business locations of this Defendant;

b. Describe the nature of this Defendant's business.

RESPONSE:

3. Identify the names, addresses, and telephone numbers of all persons who were witness to or who have personal knowledge of any of the facts, events, or matters that are alleged in Plaintiff's complaint, your answer, anticipated answer and/or defenses thereto and describe and explain your understanding of the matters on which the persons named have knowledge. In addition to identifying said individuals as specified in the instructions above, please include the following:

(a) Please state whether each such person is affiliated with, or related to, or employed by any party (or its agents, servants, officers, or employees) to this lawsuit;

(b) If any of the persons so listed in response to this interrogatory do not fit the characterization in subpart (a) above, please describe the nature of their involvement in this lawsuit;

(c) Please explain and describe your understanding of their knowledge of such facts.

RESPONSE:

4. Identify all correspondence or documents that refer or relate to any correspondence or communication between you and any other defendant in this action, relating or referring to the Plaintiff, facts, acts, events, or matters alleged in Plaintiff's complaint, or your answer, anticipated answer and/or defenses thereto.

RESPONSE:

5. State your policies and procedures and identify the name or title of said policy and procedure as well as any and all manuals, reference books, of memorandums by whatever name called, designed to assure the maximum possible accuracy of the information in your database and that such information is accurately reported to the credit reporting agencies, including Equifax, Experian, and Trans Union.

RESPONSE:

6. For each request for admission to which you did not give an unqualified "admitted," please state in detail the basis for each such refusal to admit and identify all

documents which relate to your refusal to admit.

RESPONSE:

7. Explain in detail why you pulled Plaintiff's credit reports.

RESPONSE:

8. What is your policy and procedure for pulling credit reports? Identify and produce all related documents, including memos, emails, policy and procedure books or guidelines, etc.

RESPONSE:

9. Identify all documents in your possession that you claim are privileged, identifying the types of documents, dates of documents, subject matter of the documents, authors and recipients of the documents, and the applicable privilege.

RESPONSE:

10. State the name and address of each and every witness expected to be called at the

trial of this action.

RESPONSE:

11. State how many credit reports of consumers in Alabama you pulled in 2009 and how many you pulled in 2010.

RESPONSE:

12. For each affirmative defense identify all documents, facts, or witnesses that support each such defense.

RESPONSE:

13. State the name and address of each and every expert witness expected to be called at the trial of this action. Include in your answers any and all opinions, and the basis for such opinions, upon which each and every expert will be called to testify and the qualifications of each expert.

RESPONSE:

14. State your policies and procedures and identify the name or title of said policy and procedure as well as any and all manuals, reference books, of memorandums by whatever name called, for the purpose of conducting a proper and reasonable investigation or re-investigation of a consumer dispute in compliance with the FCRA.

RESPONSE:

II. PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS

1. Admit or deny that Plaintiff did not give you permission to pull Plaintiff's credit reports.

RESPONSE:

2. Admit or deny you told Equifax and/or Experian, that Plaintiff had given you permission to pull his reports.

RESPONSE:

3. Admit or deny that you knew that pulling Plaintiff's credit reports would adversely affect Plaintiff's credit worthiness.

RESPONSE:

III. REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Please produce all documents evidencing, relating, referencing, and/or involving communications between you and any of the other defendants which regarded or in any way referenced Plaintiff and/or any of Plaintiff's personal identifiers.

2. Produce all documents that reference, relate, and/or refer in any way to the Plaintiff.

3. Produce all documents evidencing, relating, referencing, involving and/or constituting communications between you and Plaintiff or anyone acting on or purporting to act on Plaintiff's behalf.

4. Produce your policy manuals, procedure manuals, or other documents, which address your policies, practices or procedures in pulling credit reports during each of the years: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010.

5. Produce your policy manuals, procedure manuals, or other documents, which reference, constitute, evidence, and/or duplicate the Fair Credit Reporting Act (or any part thereof) and its revisions or amendments provided to your employees, during each of the years: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010.

6. Produce your contract, documents, manuals or other recorded data, concerning your subscriber relationships with the other defendants and with any consumer reporting agency from which you pulled credit reports on Plaintiff.

7. Please produce your documents evidencing, referencing, constituting and/or containing your subscriber contracts, subscriber names, subscriber codes, personal identification numbers, reporting policies, means and procedures and/or access codes and specify what time periods such contracts, names, codes, personal identification numbers and/or access codes were used or made available to you by any party to this case.

8. Produce your documents which evidence, reference, relate, constitute and/or address your communications with Plaintiff or anyone acting on behalf of Plaintiff.

9. Produce your documents and/or correspondence in your, or your attorney's, possession that evidence, refer to, and/or relate to any facts which you believe may have any bearing upon this lawsuit or any defenses you have raised in this lawsuit, not to include letters between you and your attorney.

10. Produce copies of your documents evidencing, relating to, and/or referencing telephone messages, log books and/or other regularly maintained records by you which contain information about communications between you and Plaintiff and/or any other defendant in this action and/or any consumer reporting agency or furnisher or government bureau or any Better Business Bureau.

11. Produce any and all documents which evidence, relate, and/or refer in any manner to the Plaintiff or any of Plaintiff's accounts.

12. Produce any and all documents identified, relied upon or referred to by you in your responses to Plaintiff's interrogatories.

s/Wesley L. Phillips
Wesley L. Phillips (PHI053)
Attorney for Plaintiff

OF COUNSEL:
PHILLIPS LAW GROUP, LLC
Post Office Box 130488
Birmingham, Alabama 35213
(205) 383-3585 - voice
(800) 536-0385 - facsimile

PLEASE SERVE ALONG WITH THE SUMMONS AND COMPLAINT.

ELECTRONICALLY FILED
10/12/2011 3:44 PM
CV-2011-903628.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ANTHONY L. NELSON,	)	
	)	
Plaintiff,	)	
	)	
	)	
vs.	)	**Case No.:** ____________
	)	
LVNV FUNDING LLC, a corporation; and EQUIFAX INFORMATION SERVICES, LLC, a corporation; and EXPERIAN INFORMATION SOLUTIONS, INC;	)	
	)	
Defendants.	)	

PLAINTIFF'S FIRST INTERROGATORIES, REQUEST FOR ADMISSIONS, AND REQUEST FOR PRODUCTION TO DEFENDANTS EXPERIAN INFORMATION SOLUTIONS, INC. AND EQUIFAX INFORMATION SERVICES, LLC

COMES NOW Plaintiff Anthony L. Nelson, by and through his undersigned counsel, and hereby requests that Defendants Experian Information Solutions, Inc. and Equifax Information Services, LLC (hereinafter, collectively, "you," "your," and/or "these Defendants"), answer the following interrogatories and requests for production of documents within the time required by the Alabama Rules of Civil Procedure. In addition, Plaintiff requests Defendant to attach a copy of each and every document referred to in any of the interrogatories or in Defendant's responses thereto or that Defendant states the date and time the said documents will be produced for inspection and copying at the offices of Plaintiff's attorney.

NOTE: These interrogatories shall be deemed continuing so as to require supplemental answers upon receipt of additional information subsequent to its original response.

I. INTERROGATORIES:

1. State whether your name correctly is stated in the complaint filed in

this case. If not, state the correct way this defendant should be designated as a party defendant in the named action at the time of occurrence made the basis of this lawsuit and at the time of response to these interrogatories.

RESPONSE:

2. State your corporate history, including the date and place of incorporation; whether you are qualified to do business in the State of Alabama, and, if so, the date first qualified; the address of its principal place of business; and the full names of any and all subsidiaries, divisions, sister corporations, parent corporations, successors, assigns and other like entities.

a. State the address of all business locations of this Defendant;

b. Describe the nature of this Defendant's business.

RESPONSE:

3. Identify the names, addresses, and telephone numbers of all persons who were witness to or who have personal knowledge of any of the facts, events, or matters that are alleged in Plaintiff's complaint, your answer, anticipated answer and/or defenses thereto and describe and explain your understanding of the matters on which the persons named have knowledge. In addition to identifying said individuals as specified in the instructions above, please include the following:

(a) Please state whether each such person is affiliated with, or related to, or employed by any party (or its agents, servants, officers, or employees) to this lawsuit;

(b) If any of the persons so listed in response to this interrogatory do not fit the characterization in subpart (a) above, please describe the nature of their involvement in this lawsuit;

(c) Please explain and describe your understanding of their knowledge of such facts.

RESPONSE:

4. Identify all correspondence or documents that refer or relate to any correspondence or communication between you and any other defendant in this action, as well as any potential credit grantors or mortgage grantors relating or referring to the Plaintiff, facts, acts, events, or matters alleged in Plaintiff's complaint, or your answer, anticipated answer and/or defenses thereto.

RESPONSE:

5. Please state whether you received any requests from Defendant LVNV related to pulling Plaintiff's credit reports, and in connection with your response, please identify the dates of such requests, the manner of the requests, the identifying data connected with the requests, and explain and describe the reasons you allowed Defendant LVNV to have access to Plaintiffs' credit reports.

RESPONSE:

6. State your policies and procedures and identify the name or title of said policy and procedure as well as any and all manuals, reference books, of memorandums by whatever name

called, designed to assure the maximum possible accuracy of the information in your consumer credit database and consumer reports you issued and to ensure credit pulls are only allowed when the company desiring to make the pull has a permissible reason.

RESPONSE:

7. If any document that is or would have been responsive to Plaintiff's Requests for Production of Documents to you was destroyed, lost, mislaid, or otherwise missing, identify the document, state the date of and reason for its destruction, and identify all persons having knowledge of its contents and/or the reason for its destruction.

RESPONSE:

8. Identify all documents in your possession that you claim are privileged, identifying the types of documents, dates of documents, subject matter of the documents, authors and recipients of the documents, and the applicable privilege.

RESPONSE:

9. If any document responsive to Plaintiff's Request for Production of Documents to you is withheld from production, identify each such document by date, title, subject matter, length and the request to which it is potentially responsive and state the reason for withholding production, and identify each person to whom the document was sent, shown, or made

accessible, or to whom it was explained.

RESPONSE:

10. Please list, explain and describe documents known to you or believed by you to exist concerning any of the events described in Plaintiff's complaint or concerning any of the events which are the subject(s) of any defense(s) you have raised to this lawsuit.

RESPONSE:

11. If your answer to any Request for Admission is anything other than an unqualified "Admit," explain in detail each and every reason for your answer to each Request for Admission that you did not give an unqualified admission, identifying all persons and documents.

RESPONSE:

12. State the name and address of each and every witness expected to be called at the trial of this action.

RESPONSE:

13. State the name and address of each and every expert witness expected to be called at the trial of this action. Include in your answers any and all opinions, and the basis for such opinions, upon which each and every expert will be called to testify and the qualifications of each

expert.

RESPONSE:

14. State the name, address, phone number, and employer of each and every person known by you to have any knowledge whatsoever of matters related, referencing, or pertaining to the events made the basis of this lawsuit.

RESPONSE:

15. State whether, in the past ten years, you have been named a party defendant in any other lawsuit involving claims or allegations you violated the Fair Credit Reporting Act (15 U.S.C. §1681, et. seq.) with regard to properly conducting an investigation of a disputed account and/or improperly reporting accounts. If so, state the name of the lawsuit, the civil action number and the court where the action was filed.

RESPONSE:

16. State whether, in the past ten (10) years, you have been involved in any other legal action, either as a defendant or a plaintiff where allegations were raised concerning improper use of personal or financial data or credit report access issues were involved? If so, please state:

a) The date and place each such action was filed identifying the other party or parties involved, the docket number of such actions, and the names of the attorneys representing each party;

b) A description of the nature of each such action; and

c) The result of each such action whether there was an appeal, and the result of the appeal, and whether such case was reported and the name, volume number, and page citation of the report.

RESPONSE:

17. State and fully describe the maintenance of all procedures utilized by you to avoid violation of the Fair Credit Reporting Act, including, but not limited to, all documents regarding this Defendant's compliance or noncompliance with the FCRA.

RESPONSE:

18. State your policies and procedures and identify the name or title of said policy and procedure as well as any and all manuals, reference books, of memorandums by whatever name called, for the purpose of conducting a proper and reasonable investigation or re-investigation of a consumer dispute in compliance with the FCRA.

RESPONSE:

II. PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS

1. Admit or deny that you followed all policies and procedures for allowing Defendant LVNV to pull Plaintiff's credit reports.

RESPONSE:

2. Admit or deny you intended that other persons or entities would see the credit pulls by Defendant LVNV if such other persons or entities reviewed Plaintiff's credit report

maintained by you.

RESPONSE:

3. Admit or deny the credit pulls by Defendant LVNV do not improve Plaintiff's credit history.

RESPONSE:

4. Admit or deny the credit pulls by Defendant LVNV lower Plaintiff's credit score using your credit scoring formula.

RESPONSE:

5. Admit or deny you have not yet deleted the inquiries of LVNV from Plaintiff's credit reports.

RESPONSE:

6. Admit or deny that as of the date this lawsuit was filed you had not yet deleted the inquiries of LVNV from Plaintiff's credit reports.

RESPONSE:

7. Admit or deny the Plaintiff does not have a choice on whether you will maintain a credit report on him.

RESPONSE:

III. REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Please produce all documents evidencing, relating to, and/or involving communications between you and any of the other defendants, in which the communication in any way referenced Plaintiff and/or any of Plaintiff's personal identifiers.

2. Produce each and every document that refers to the plaintiff.

3. Please produce all documents evidencing, relating to, and/or involving or constituting communications between you and the plaintiff or anyone acting on or purporting to act on the plaintiff's behalf.

4. Please produce your policy manuals, procedure manuals, or other documents, which address your policies, practices or procedures in allowing credit pulls during each of the years: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010.

5. Please produce your policy manuals, procedure manuals, or other documents, which reference, constitute or duplicate the Fair Credit Reporting Act (or any part thereof) and its revisions or amendments provided to your employees, during each of the years: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010.

6. Please produce your contract, documents, manuals, and/or all recorded data in whatever medium or form concerning your subscriber relationships with all other defendants.

7. Please provide a complete audit trail of any document(s), computer(s), or other data held by you which indicate, address, and/or discuss modifying and/or amending any information regarding Plaintiff reported by you.

8. Please produce your documents evidencing, relating, referencing, constituting and/or containing your subscriber contracts, subscriber names, subscriber codes, personal identification numbers, reporting policies, means and procedures and/or access codes and specify what time periods such contracts, names, codes, personal identification numbers and/or access codes were used or made available to you by any party to this case.

9. Please produce your documents which evidence, relate, reference, constitute and/or address your communications with Plaintiff or anyone acting on behalf of Plaintiff.

10. Please produce all documents and/or correspondence in your, or your attorney's,

possession that refer to or relate to any facts which you believe may have any bearing upon this lawsuit or any defenses you have raised in this lawsuit, not to include any privileged letters between you and your attorney.

11. Please produce copies of your documents evidencing, relating, referencing, constituting and/or containing telephone messages, log books or other regularly maintained records by you which contain information about communications between you and Plaintiff and/or any other defendant in this action and/or any consumer reporting agency or furnisher or government bureau or any Better Business Bureau.

12. Please produce all documents in your custody, control, or possession evidencing, relating, referencing, constituting and/or which refer in any manner to Plaintiff or any of Plaintiff's accounts.

13. Please produce any and all documents identified, relied upon, and/or referred to by you in your responses to Plaintiff's interrogatories.

s/Wesley L. Phillips
Wesley L. Phillips (PHI053)
Attorney for Plaintiff

OF COUNSEL:
PHILLIPS LAW GROUP, LLC
Post Office Box 130488
Birmingham, Alabama 35213
(205) 383-3585 - voice
(800) 536-0385 - facsimile

PLEASE SERVE ALONG WITH THE SUMMONS AND COMPLAINT.

ELECTRONICALLY FILED
10/12/2011 3:44 PM
CV-2011-903628.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ANTHONY L. NELSON,	)	
	)	
Plaintiff,	)	
	)	
	)	
vs.	)	**Case No.:** ____________
	)	
LVNV FUNDING LLC, a corporation; and EQUIFAX INFORMATION SERVICES, LLC, a corporation; and EXPERIAN INFORMATION SOLUTIONS, INC;	)	
	)	
Defendants.	)	

SUMMONS

This service of this summons is initiated upon the written request of Plaintiff's attorney pursuant to the Alabama Rules of Civil Procedure.

NOTICE TO: **LVNV Funding LLC**
c/o CT Corporation System
2 North Jackson Street, Suite 605
Montgomery, Alabama 36104

The Complaint which is attached to this summons is important and you must take immediate action to protect your rights. You are required to mail or hand deliver a copy of a written answer, either admitting or denying each allegation in the Complaint to **PHILLIPS LAW GROUP**, Attorneys for the Plaintiffs, P.O. Box 130488, Birmingham, Alabama 35213. **THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN THIRTY (30) DAYS FROM THE DATE OF THE DELIVERY OF THIS SUMMONS AND COMPLAINT OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT**. You must also file the original of your Answer with the Clerk of this Court within a reasonable time afterward. The Clerk's address is: Circuit Clerk of Jefferson County, 716 Richard Arrington Blvd North, Room 400, Birmingham, Alabama 35203.

____
Clerk of Court

Dated: ______________________

ELECTRONICALLY FILED
10/12/2011 3:44 PM
CV-2011-903628.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ANTHONY L. NELSON,	)	
	)	
Plaintiff,	)	
	)	
	)	
vs.	)	**Case No.:** ____________________
	)	
LVNV FUNDING LLC, a corporation; and	)	
EQUIFAX INFORMATION SERVICES, LLC,	)	
a corporation; and EXPERIAN	)	
INFORMATION SOLUTIONS, INC;	)	
	)	
Defendants.	)	

SUMMONS

This service of this summons is initiated upon the written request of Plaintiff's attorney pursuant to the Alabama Rules of Civil Procedure.

NOTICE TO: **Experian Information Solutions, Inc.**
c/o CT Corporation System
2 North Jackson Street, Suite 605
Montgomery, Alabama 36104

The Complaint which is attached to this summons is important and you must take immediate action to protect your rights. You are required to mail or hand deliver a copy of a written answer, either admitting or denying each allegation in the Complaint to **PHILLIPS LAW GROUP**, Attorneys for the Plaintiffs, P.O. Box 130488, Birmingham, Alabama 35213. **THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN THIRTY (30) DAYS FROM THE DATE OF THE DELIVERY OF THIS SUMMONS AND COMPLAINT OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.** You must also file the original of your Answer with the Clerk of this Court within a reasonable time afterward. The Clerk's address is: Circuit Clerk of Jefferson County, 716 Richard Arrington Blvd North, Room 400, Birmingham, Alabama 35203.

____
Clerk of Court

Dated: ____________________

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CV-2011-903628.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ANTHONY L. NELSON,	)
	)
Plaintiff,	)
	)
	)
vs.	) **Case No.:** ____________
	)
LVNV FUNDING LLC, a corporation; and EQUIFAX INFORMATION SERVICES, LLC, a corporation; and EXPERIAN INFORMATION SOLUTIONS, INC;	)
	)
Defendants.	)

SUMMONS

This service of this summons is initiated upon the written request of Plaintiff's attorney pursuant to the Alabama Rules of Civil Procedure.

NOTICE TO: **Equifax Information Services, LLC**
c/o CSC Lawyers Incorporating Service, Inc.
150 S. Perry Street
Montgomery, Alabama 36104

The Complaint which is attached to this summons is important and you must take immediate action to protect your rights. You are required to mail or hand deliver a copy of a written answer, either admitting or denying each allegation in the Complaint to **PHILLIPS LAW GROUP**, Attorneys for the Plaintiffs, P.O. Box 130488, Birmingham, Alabama 35213. **THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN THIRTY (30) DAYS FROM THE DATE OF THE DELIVERY OF THIS SUMMONS AND COMPLAINT OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.** You must also file the original of your Answer with the Clerk of this Court within a reasonable time afterward. The Clerk's address is: Circuit Clerk of Jefferson County, 716 Richard Arrington Blvd North, Room 400, Birmingham, Alabama 35203.

____
Clerk of Court

Dated: ____________________

State of Alabama Unified Judicial System Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 01-CV-2011-903628.00

IN THE CIVIL COURT OF JEFFERSON, ALABAMA
ANTHONY L NELSON V. LVNV FUNDING LLC ET AL

NOTICE TO LVNV FUNDING LLC, 2 NORTH JACKSON STREET SUITE 605, MONTGOMERY, AL 36104

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY WESLEY L PHILLIPS

WHOSE ADDRESS IS P.O. Box 130488, Birmingham, AL 35213

THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.
TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:

☐ You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant

☑ Service by certified mail of this summons is initiated upon the written request of ANTHONY L NELSON pursuant to the Alabama Rules of the Civil Procedure

10/12/2011 3:44:23 PM
Date

/s ANNE-MARIE ADAMS
Clerk/Register

By

☑ Certified mail is hereby requested

/s WESLEY L PHILLIPS
Plaintiff's/Attorney's Signature

RETURN ON SERVICE:

☐ Return receipt of certified mail received in this office on ____________

☐ I certify that I personally delivered a copy of the Summons and Complaint to ____________

____________ in ____________ County, Alabama on ____________

Date

Server's Signature

State of Alabama Unified Judicial System Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 01-CV-2011-903628.00

IN THE CIVIL COURT OF JEFFERSON, ALABAMA
ANTHONY L NELSON V. LVNV FUNDING LLC ET AL

NOTICE TO EQUIFAX INFORMATION SERVICES, LLC, 150 S PERRY STREET, MONTGOMERY, AL 36104

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY WESLEY L PHILLIPS

WHOSE ADDRESS IS P.O. Box 130488, Birmingham, AL 35213

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TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:

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10/12/2011 3:44:23 PM
Date

/s ANNE-MARIE ADAMS
Clerk/Register

By

☑ Certified mail is hereby requested

/s WESLEY L PHILLIPS
Plaintiff's/Attorney's Signature

RETURN ON SERVICE:

☐ Return receipt of certified mail received in this office on ______________

☐ I certify that I personally delivered a copy of the Summons and Complaint to ______________

______________ in ______________ County, Alabama on ______________

Date

Server's Signature

State of Alabama Unified Judicial System Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 01-CV-2011-903628.00

IN THE CIVIL COURT OF JEFFERSON, ALABAMA
ANTHONY L NELSON V. LVNV FUNDING LLC ET AL

NOTICE TO EXPERIAN INFORMATION SOLUTIONS, INC., 2 NORTH JACKSON STREET SUITE 605, MONTGOMERY, AL 36104

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY WESLEY L PHILLIPS

WHOSE ADDRESS IS P.O. Box 130488, Birmingham, AL 35213

THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.

TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:

☐ You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant

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10/12/2011 3:44:23 PM
Date

/s ANNE-MARIE ADAMS
Clerk/Register

By

☑ Certified mail is hereby requested

/s WESLEY L PHILLIPS
Plaintiff's/Attorney's Signature

RETURN ON SERVICE:

☐ Return receipt of certified mail received in this office on ______________________

☐ I certify that I personally delivered a copy of the Summons and Complaint to ______________________

______________ in ______________ County, Alabama on ______________

____
Date

____
Server's Signature

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EXPERIAN INFORMATION SOLUTIONS, INC.
2 NORTH JACKSON STREET
SUITE 605
MONTGOMERY, AL 36104

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) [handwritten name] C. Date of Delivery 10/14/11

D. Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address below: ☐ No

D003
CV-2011-903628 SHC

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7010 2780 0002 6185 7576

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box

FILED IN OFFICE

OCT 18 2011

ANNE-MARIE ADAMS
Clerk

ANNE-MARIE ADAMS, CLERK
JEFFERSON COUNTY CIRCUIT C[illegible]
CIVIL DIVISION - ROOM 400
716 NO. RICHARD ARRINGTON BLVD
BIRMINGHAM, ALABAMA 35203

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LVNV FUNDING LLC
2 NORTH JACKSON STREET
SUITE 605
MONTGOMERY, AL 36104

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Laura Pa[illegible] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Laura Pa[illegible] C. Date of Delivery 6/14/11

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

Dool

CV-2011-903429 S+C

3. Service Type
- ■ Certified Mail ☐ Express Mail
- ☐ Registered ■ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7010 2780 0002 8185 7552

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

UNITED STATES POSTAL SERVICE

~~First-Class Mail~~
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

FILED IN OFFICE
OCT 18 2011
ANNE-MARIE ADAMS
Clerk

ANNE-MARIE ADAMS, CLERK
JEFFERSON COUNTY CIRCUIT COURT
CIVIL DIVISION - ROOM
716 NO. RICHARD ARRINGTON BLVD
BIRMINGHAM, ALABAMA 35203